

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

TIMOTHY WARE and DIANE T. WARE,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	Case No. 4:23-cv-00300-AGF
	)	
WIND TRANSPORT SOLUTIONS,	)	
INC., SB TRANSPORT, INC., and	)	
JOSE FRANCISCO RAMIREZ'	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on Plaintiffs Timothy and Diane Ware's motion for sanctions. ECF No. 79. Plaintiffs ask the Court to implement sanctions against Defendants for Defendants' alleged failure to comply with the requirements of Federal Rule of Civil Procedure 30(b)(6) and the Court's previous order regarding Plaintiffs' motion to compel.

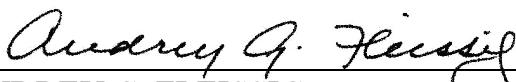
Local Rule 3.04(A) states that the Court will not consider any motion related to discovery and disclosure unless the motion contains a statement that movant's counsel has conferred in person or by telephone with the opposing counsel in good faith or has made reasonable efforts to do so, but that after sincere efforts to resolve their dispute, counsel are unable to reach an accord. Per the Local Rule, the statement must recite the date, time, and manner of such in-person or telephone conference and the names of the individuals participating therein or must state with specificity the efforts made to confer with opposing counsel.

Plaintiffs' motion includes no statement regarding whether Plaintiffs' counsel conferred or attempted to confer in person or by phone with opposing counsel in a good faith effort to resolve the dispute. Because Plaintiffs' motion fails to include such a statement, the Court will deny the motion.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiffs' motion for sanctions is **DENIED without prejudice**. ECF No. 79.

Dated this 15th day of April, 2025.

  
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AUDREY G. FLEISSIG  
UNITED STATES DISTRICT JUDGE